

PUBLIC CHAPTER NO. 1168

SENATE BILL NO. 1157

**By Black, Beavers, Bunch, Burchett, Crowe, Raymond Finney,
Johnson, Ketron, McNally, Norris, Southerland, Stanley, Tracy,
Watson, Williams, Woodson, Burks, Wilder**

Substituted for: House Bill No. 941

**By Maggart, DuBois, Gresham, Kevin Brooks, Watson, Matlock,
Lundberg, Harry Brooks, Dunn, Kelsey, Casada, Campfield, Hensley,
Hill, Coley, Niceley, Bell, McManus, Jim Cobb, Bass, Floyd, Phillip
Johnson, Sherry Jones, Briley, Pinion, Mumpower, Ulysses Jones,
Pruitt, Mike Turner, Hardaway, Lois DeBerry, Bibb, Tidwell,
McDonald, Harmon, Shepard, Pitts, Hackworth, Fincher, Coleman,
Ferguson, Fitzhugh, Shaw, Buck, Sontany, Hood, Matheny, Camper,
McCormick,
Mr. Speaker Naifeh, West, Borchert, Litz, Yokley, Roach, Williams,
Harrison, Vaughn, McDaniel, Windle, Sargent, Montgomery, Harwell,
Dean, Curtis Johnson, Favors, Richardson, Larry Turner, John
Deberry, Overbey, Lollar, Armstrong, Moore**

AN ACT to amend Tennessee Code Annotated, Title 33; Title 68 and Title 71,
relative to a pilot project for home and community based care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 14, is
amended by adding the following as a new section:

71-5-1411.

(a) The Commission on Aging and Disability shall develop a pilot project proposal in accordance with the provisions of this section. The long-term care services planning council shall be responsible for evaluating the implementation of the project. If funded in the General Appropriations Act, the pilot project shall be implemented and shall continue for three (3) years. The commission shall annually report on the pilot project to the council and the Senate General Welfare, Health and Human Resources Committee and the House Health and Human Resources Committee. At the end of the project the commission shall report on the project to the council and to the House and Senate standing committees. The council shall also make reports of any evaluations that it might undertake of the project to the House and Senate standing committees.

(b) The Commission on Aging and Disability shall develop a pilot project in a county or counties of one of the area agencies on aging and disability (AAAD) and shall enter into a contract with the selected AAAD in order to implement the project. The project shall utilize the services of an aging and disability resource center located in the AAAD. Subject to any approvals required from the commission by the contract, a working group from the selected AAAD shall design the project and determine whether to use a program manager in the project. In selecting the AAAD the commission shall consider any administrative and oversight efficiencies that locating the project in any particular AAAD might afford the project.

(c) The project shall offer families with a member with a disability who requires long-term supports and services and individuals with a disability who require long-term supports and services opportunities to direct their own services. The families and individuals shall exercise choice, control and responsibility for their services within a cost neutral framework.

(d) The project may involve the following:

(1) Personal control and choice;

(2) Encouragement of cost-effective decision-making in the purchase of supports and services;

(3) Allowing eligible families and individuals to receive a cash allowance or an individual budget to obtain personal assistant services and related supports; and

(4) Providing fiscal agent and supportive broker services to sustain individuals and families in directing their own services.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

PASSED: May 20, 2008


RON RAMSEY
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of June 2008



PHIL BREDESEN, GOVERNOR